

**REMARKS**

Claims 1-4 are all the claims pending in the application.

Claims 1-4 are rejected.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hammer (U.S. Patent No. 3,581,174).

The Applicants traverse the rejections and request reconsideration.

**Detailed Description**

***Claim Rejections Under 35 U.S.C. § 102***

The Examiner maintains the rejection of the claims based on Hammer. In maintaining the rejections, the Examiner does not provide any additional arguments. However, the Examiner responds to the Applicants' arguments noting that the limit switch of Hammer "reactivates" the manual switch. Referring to col. 5, ll. 1-29, the Examiner contends that this is equivalent to canceling of invalidation.

To the contrary, there is no disclosure or suggestion in Hammer relating to such a reactivation. As noted in the previous response, in the sections cited by the Examiner, Hammer merely discloses that the automatic reversing circuit 52 is disconnected and inoperative when the window is either in the open or closed position. However, this is very different from the invalidation of the present invention. As noted in the previous response, Hammer merely teaches reversing the direction of motion and not the subsequent cancellation of the reversing as in the present invention.

RESPONSE UNDER 37 C.F.R. § 1.116  
U.S. Patent Application No.: 10/816,890

Attorney Docket No.: Q80886

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Hammer does not anticipate (or suggest) the present invention at least because Hammer does not disclose a switch operation invalidation setting section operable to invalidate a switch operation when the motor current is the lock current as recited in claims 1 and 2. Method claims 3 and 4 include limitations analogous to the above, therefore, the arguments are analogously valid.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

*Chid S. Iyer*

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Chid S. Iyer  
Registration No. 43,355

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
23373  
CUSTOMER NUMBER

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